

## SUMMARY STATEMENT

*State of Idaho v. Donald J. Jay*

Docket No. 47062

An Idaho State Police trooper pulled in behind an SUV that parked along the right-hand shoulder of Interstate-84 (I-84). Because it is illegal to park on the side of I-84, the officer wanted to check the status of the driver and the reason the car was parked on the side of I-84. The car did not have any hazard lights and upon closer inspection, the trooper noticed the driver appeared to be asleep. The officer knocked on the window twice but was unable to rouse the person, later identified as Jay. The officer then opened the door of the SUV, at which point the driver awakened but was incoherent. Jay was ultimately arrested for driving without privileges. Subsequent to his arrest, Jay's vehicle was searched and drug paraphernalia was seized. Jay was charged with three misdemeanor offenses.

Jay filed a motion to suppress all the evidence obtained after the trooper opened Jay's car door on the basis that he was detained without reasonable suspicion and his vehicle was searched without probable cause. The magistrate denied the motion. Jay appealed to the district court, which affirmed the magistrate court's denial of the motion to suppress. Jay appealed.

Jay contends it was a violation of his state and federal Fourth Amendment protections when the trooper opened the SUV's door because there was no reasonable suspicion of any crime or any misdemeanor committed in the trooper's presence. The Court of Appeals held that an officer has the constitutional authority to order an individual out of a car during a traffic stop, and it is irrelevant whether it is the officer or the individual who opens the car door to permit the individual to get out of the car. Additionally, under the circumstances of the case, the trooper reasonably executed his community caretaker function by opening the door to assess Jay's status and ensure that Jay was not suffering from any physical or mental health issues which would require medical attention. Consequently, there was no Fourth Amendment violation when the officer opened the door of the SUV and no basis on which to suppress the evidence. Thus, the district court properly affirmed the magistrate court's denial of Jay's motion to suppress on this ground.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*